

AMENDED IN ASSEMBLY JUNE 21, 1999

AMENDED IN SENATE JUNE 1, 1999

AMENDED IN SENATE APRIL 14, 1999

AMENDED IN SENATE APRIL 5, 1999

SENATE BILL

No. 578

Introduced by Senator Poochigian

(Principal coauthor: Assembly Member Mazzoni)

(Principal coauthor: Senator Alpert)

February 23, 1999

An act to add Section 60643.1 to the Education Code, relating to pupil testing, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 578, as amended, Poochigian. Standardized Testing and Reporting Program: reading list.

Existing law, the Leroy Greene California Assessment of Academic Achievement Act, establishes the Standardized Testing and Reporting Program, to be known as the STAR Program. The act requires the State Board of Education to require the State Department of Education to notify publishers of the opportunity to submit, for consideration by the State Board of Education, tests of achievement that include certain basic skills and core curriculum areas. Existing law requires test publishers, to be eligible for consideration under those provisions, to agree in writing each year to certain requirements, including, among others, providing pupil

scores to parents or guardians, teachers, and school administrators.

This bill would also require the test publishers designated by the board commencing in the 1998–1999 school year, and each year thereafter, to make available, for purchase by school districts, a report that provides the numerical distribution of the reading scores of all pupils that took the STAR test and a customized reading list for each individual pupil who has taken the English Language Arts portion of the STAR test, at the same time that test scores are reported to the parent or guardian under the provisions of the STAR Program. The bill would require this customized reading list to include titles of literature that will allow the pupil to practice reading at his or her current reading level, as determined by the publisher's review of the pupil's reading performance on the STAR test, and that will assist the pupil in achieving a higher level of reading proficiency. The bill would also require any title included in the customized list to meet certain requirements concerning the use of instructional materials. The bill would require the State Board of Education to jointly certify with the Superintendent of Public Instruction that the process used by the publisher to determine reading levels of the customized reading list meets certain criteria, including that the process is educationally valid. The bill would also require the list of titles to be made available on the Internet with an index that correlates reading scores on the STAR test to titles on the reading list that would be suitable for pupils in each of grades 2 to 11, inclusive.

The bill would require the Superintendent of Public Instruction, subject to an appropriation therefor, to apportion funds to enable school districts to purchase the customized reading list made available pursuant to those provisions, in an amount not to exceed \$0.50 per pupil.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.



The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) It is imperative that reading skills among California's pupils be improved.

(b) The English/Language Arts framework and the content standards adopted by the State Board of Education pursuant to Section 60605 of the Education Code, serve as the basis for a complete reading program that includes the foundational skills of phonemic awareness and phonics, as well as reading comprehension and literature appreciation.

(c) Research on the teaching of reading demonstrates that providing all children with appropriate literacy and reading experiences is likely to set the stage for successful reading and academic achievement in later years.

(d) Effective reading instruction involves a combination of explicit instruction in word recognition skills and reading comprehension strategies with opportunities to apply and practice these skills in literature.

(e) Practice in the skills being taught will provide opportunities for California's pupils to improve their reading comprehension, appreciate quality literature, and achieve the English/Language Arts academic content standards for kindergarten and grades 1 to 12, inclusive.

(f) *Schools should encourage teachers to use the STAR test scores and the customized reading list described in Section 60643.1 of the Education Code to help parents understand their children's reading ability and how to make selections from the list.*

SEC. 2. Section 60643.1 is added to the Education Code, to read:

60643.1. (a) In addition to the requirements of Section 60643, commencing in the 1998–99 school year, and each year thereafter, the test publisher designated by the State Board of Education pursuant to Section 60643 shall make available for purchase by school districts a

1 schoolsite report that provides a numerical distribution of
2 the reading scores of all pupils that took the STAR test.

3 (b) (1) In addition to the requirements of Section
4 60643 commencing in the 1998–99 school year, and each
5 year thereafter, each test publisher shall make available,
6 for purchase by school districts, a ~~customized reading list~~
7 *reading list customized to each pupil's English Language*
8 *Arts STAR test score, and age*, for each individual pupil
9 who has taken the English Language Arts portion of the
10 STAR test, at the same time that test scores are reported
11 to the parent or guardian pursuant to Section 60643. This
12 customized reading list shall include titles of literature
13 that will allow the pupil to practice reading at his or her
14 current reading level, as determined by the publisher's
15 review of the pupil's reading performance on the STAR
16 test and that will assist the pupil in achieving a higher
17 level of reading proficiency.

18 (2) Any title included in the customized reading list
19 provided pursuant to paragraph (1) shall meet the
20 requirements of Article 3 (commencing with Section
21 60040) of Chapter 1.

22 (3) The customized list for each pupil and the titles
23 listed at each reading level posted on the Internet
24 pursuant to paragraph (6) shall include all the titles that
25 have been submitted to the State Department of
26 Education and approved as being legally compliant
27 pursuant to Article 3 (commencing with Section 60040)
28 of Chapter 1, and have been determined to meet the
29 relevant reading level as certified pursuant to paragraph
30 (4).

31 (4) The State Board of Education shall jointly certify
32 with the Superintendent of Public Instruction that the
33 process used by the publisher to determine the reading
34 levels of the customized reading list pursuant to
35 paragraph (1) meets the following criteria:

36 (A) The process is educationally valid.

37 (B) The process results in a reading list for each
38 reading span that provides titles at the pupil's current
39 reading level and the next higher level for challenging
40 practice.

1 (C) The process results in a selection from the
2 universe of titles from the department's legal compliance
3 list that matches each reading level.

4 (D) The process is unbiased in the selection of
5 publishers' titles from the legal compliance list.

6 (5) By imposing the requirements of this subdivision
7 on publishers it is not the intent of the Legislature to
8 unfairly disadvantage any publisher who has otherwise
9 met the requirements of this section or of Article 3
10 (commencing with Section 60040).

11 (6) The list of titles on the customized reading list
12 made available pursuant to paragraph (1) shall also be
13 made available on the Internet with an index that
14 correlates reading scores on the STAR test to titles on the
15 reading list that would be suitable for pupils in each of
16 grades 2 to 11, inclusive. *To the extent possible, the index*
17 *shall also include information related to the subject*
18 *matter of each title. At a minimum, the Internet site shall*
19 *also categorize titles by subject matter and identify*
20 *age-appropriate distinctions in the list.*

21 (c) The Superintendent of Public Instruction shall,
22 subject to an appropriation therefor, apportion funds to
23 enable school districts to purchase the customized
24 reading list provided pursuant to subdivision (b) in an
25 amount not to exceed fifty cents (\$0.50) per pupil.

26 SEC. 3. For tests administered in Spring 1999, the
27 publisher shall develop the Internet posting pursuant to
28 paragraph (6) of subdivision (b) of Section 60643.1 no
29 later than July 15, 1999. No later than September 30, 1999,
30 the publisher shall make available to local educational
31 agencies the customized lists pursuant to paragraph (1)
32 of subdivision (b) of Section 60643.1 in a separate report
33 from the score results reported pursuant to Section 60643.

34 SEC. 4. This act is an urgency statute necessary for the
35 immediate preservation of the public peace, health, or
36 safety within the meaning of Article IV of the
37 Constitution and shall go into immediate effect. The facts
38 constituting the necessity are:

1 To improve the reading skills of California's public
2 school pupils as expeditiously as possible, it is necessary
3 that this measure take effect immediately.

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